

**THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

GRAHAM - FIELD, INC., et al

Plaintiffs

Vs

E 1 ENTERPRISES, et. al.,

Defendant

CIVIL NO. 98-1306 (DRD)
CIVIL ACTION

MOTION TO RECONSIDER

TO THE HONORABLE COURT:

COME NOW defendant E1 ENTERPRISES D/B/A TUFFCARE ("E1") represented by the undersigned attorney, and most respectfully STATE, ALLEGE and PRAY:

1. On July 17, 2003 this Honorable Court fined the defendant \$10,000 for failure to produce all documents requested in plaintiff's Third Request for Production of Documents. (See Docket # 130) and failure to show cause.
2. In its minutes of proceedings held on February 9, 2005 the Court memorialized its intention to lift the previously imposed sanctions on E1 if a settlement is reached. The Court stated that it would lift those sanction in order to facilitate a settlement.
3. E1 has inform plaintiffs' counsel that it has agreed to settle the case for \$60,000 plus the \$10,000 held by the Court in sanctions.

WHEREFORE, we respectfully pray from this Honorable Court to GRANT this Motion and, accordingly, reconsider its order to impose sanctions upon the defendant and order the Clerk of the Court to return the \$10,000 in sanctions directly to plaintiffs if a settlement is reached.

Graham Field, Inc. v. E1 Enterprises, et. al., 98-1306
(DRD)

Motion to Reconsider

I HEREBY CERTIFY that, on this same date, a true copy of this document has been sent via the Court's CM/ECF system Mr. Kenneth J. Mc Culloch.

RESPECTFULLY SUBMITTED.

Hato Rey, Puerto Rico, February 14, 2005.

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